

**MEMO ENDORSED**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PAMELA JOHNSTON,

Plaintiff,

v.

ELECTRUM PARTNERS, LLC and LESLIE  
BOCSKOR,

Defendants.

Case No. 1:17-cv-07823 (KPF)

### STATUS REPORT

Plaintiff hereby submits this status report regarding the arbitration between the parties, before JAMS in Las Vegas, Nevada, a case styled *Electrum Partners LLC, et al. vs. Cloud 12 Group Inc., et al.* - JAMS Ref No. 1260004622.

1. Discovery in the arbitration closed on August 13, 2021.
2. It is not anticipated that any party will call an expert witness.
3. The arbitrator granted the estate of Pamela Johnston's motion for summary judgment dismissing Electrum's breach of contract, breach of the covenant of good faith and fair dealing, unjust enrichment and breach of fiduciary duty claims.
3. The arbitrator, while allowing Electrum's claims for business disparagement, defamation, invasion of privacy/false light and declaratory judgment claims to go forward, precluded the bulk of the evidence Electrum had proffered on damages in support of these claims.
4. Plaintiff's claims against Electrum remain in tact.
5. The arbitration is scheduled to go forward on May 19-20, 2022.

Dated: Brooklyn, New York  
February 2, 2021

LAW OFFICES OF JOHN T. BRENNAN



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*Counsel for Plaintiff*

The Court is in receipt of Plaintiff's above status update.

Plaintiff's update comes on the heels of two Orders issued by this Court. The first Order, dated December 29, 2021, observed that Plaintiff had failed to provide an update that had been made due on or before November 29, 2021, and ordered Plaintiff to file the update no later than January 5, 2022. (Dkt. #63). The second Order, dated January 11, 2022, noted that Plaintiff had again failed to provide a timely status update, and provided her with a final opportunity to do so by January 31, 2022. (Dkt. #64). Although Plaintiff has now filed an update, she has done so after the twice-revised deadline set by this Court passed and after receiving multiple warnings that her continued failure to comply with Court orders would result in the termination of this case.

Given the above update and the Court's preference to resolve cases on their merits, the Court will not dismiss the case at this time. Instead, Plaintiff is hereby ORDERED to provide a further update on or before **May 31, 2022**. The Court cautions that no further warnings will be issued. Plaintiff's failure to provide an update by the Court's deadline will result in the dismissal of this case.

SO ORDERED.

Dated: February 2, 2022  
New York, New York

